

Please amend claim 1 as follows:

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1. (Amended) A single dip adhesive composition comprising: from about 2 - 12 wt. % epoxy resin and resorcinol formaldehyde latex, based on a dry weight basis.

Please amend claims 4-7 as follows:

- A2
4. (Amended) The composition of claim 1, wherein said epoxy resin is a cresol-novolac epoxy resin.
5. (Amended) The composition of claim 1, wherein said epoxy resin is a sorbitol epoxy resin.
6. (Amended) The composition of claim 1, wherein said epoxy resin is in a range of about 3 - 8 wt. % on a dry weight basis.
7. (Amended) The composition of claim 1, wherein said epoxy resin is in a range of about 4 - 5 wt. % on a dry weight basis.

REMARKS

In the last paragraph of the Office Action the Examiner suggests that the word "resin" be inserted after the word epoxy since the art-recognized definition is epoxy resin and not epoxy. Claims 1 and 4-7 have been so amended as suggested by the examiner. However, in view of the Festo decision the following remarks are necessary.

35 U. S. C. 112, second paragraph, does not require that those drafting patent applications employ "art-recognized" terms. In fact, there are a plethora of cases that state that those drafting patent applications can be their own lexicographer. Accordingly, it is clear that there is no basis

for a 35 U. S. C. 112 rejection. The first Festo decision, subsequently overruled, stated that any change to the claims prohibited the doctrine of equivalence from being applied. Because no rejection of the claims was made, and the amendments to the claims have support for both the term epoxy and epoxy resin in numerous places, it is submitted that the amendment of the claims is not made to overcome a rejection and accordingly the doctrine of equivalence is applicable.

The present application was originally filed with claims 1-23. A first Office Action restricted the claims of this application between claims 1-11 and 12-23. The undersigned elected claims 1-11 with traverse. This restriction requirement has now been made final.

This second Office Action is an additional restriction requirement between the claims 1-7 drawn to a single dip adhesive composition based on epoxy resin and RFL; and claims 8-11 drawn to a single dip adhesive composition comprising epoxy resin, RFL and isocyanate. The undersigned hereby elects group 1 directed to claims 1-7 comprising an epoxy resin and RFL.

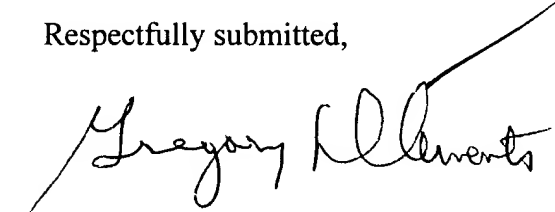
Furthermore, the Examiner states that claims 1-11 are generic to a plurality of patentably distinct species comprising epoxy resins such as sorbitol epoxy resin or cresol-novolac epoxy resins (see claims 5 and 4, respectively). The Examiner requires applicant to elect a single disclosed species. The undersigned hereby elects sorbitol epoxy resin.

✓ Claims 1-3 and 6 and 7 are not specific to any epoxy composition. Should the Examiner not find any prior art on, for example, claim 1, then the Examiner must allow all of what the Examiner terms as "patentably distinct species".

In light of the amendments to the claims, and in view of the remarks, it is submitted that

the present application is now in condition for examination on the merits and such is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gregory N. Clements". The signature is written in a cursive style with a long, sweeping line extending from the end of the name.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claim 1 has been amended as follows:

1. (Amended) A single dip adhesive composition comprising: from about 2 - 12 wt. % epoxy resin, and resorcinol formaldehyde latex, based on a dry weight basis.

Claims 4-7 have been amended as follows:

4. (Amended) The composition of claim 1, wherein said epoxy resin is a cresol-novolac epoxy resin.
5. (Amended) The composition of claim 1, wherein said epoxy resin is a sorbitol epoxy resin.
6. (Amended) The composition of claim 1, wherein said epoxy resin is in a range of about 3 – 8 wt. % on a dry weight basis.
7. (Amended) The composition of claim 1, wherein said epoxy resin is in a range of about 4 – 5 wt. % on a dry weight basis.